GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services – Treasuries and Accounts Department – Allegations of corruption against the staff of Divisional ST, Srikakulam, Srikakulam District during the ACB Trap on 07-12-2016 – Departmental action recommended against Sri B. Mukhalingeswara Rao, STO (now Retd.) for the lapses committed by him— Article of charge – Issued – Explanation Called for –Orders Issued.

FINANCE (ADMN.I) DEPARTMENT

G.O.RT.No. 290 **Dated: 05-02-2020**
Read the following:-

G.O. Ms. No. 8, Finance (Admn.I) Department, Dtd. 05.02.2020.

ORDER:

In pursuance of the sanction accorded by the Government under Sub clause (i) of clause (b) of Sub Rule (2) of Rule 9 of A.P. Revised Pension Rules, 1980 for instituting departmental proceedings against Sri B. Mukhalingeswara Rao, the then STO, Divisional ST, Srikakulam and presently STO (Retd.), DT, Srikakulam in the G.O. read above, it is proposed to hold an inquiry against the said Sri B. Mukhalingeswara Rao, STO (Retd.), in accordance with the procedure laid down in Rule 20 of A.P.C.S. (CC&A) Rules, 1991 for his failure in supply of copies of life certificates (AVCs) submitted by Smt. Gajula Lakshmi and replied that he was unable to supply those copies due to poor maintenance of office records.

2. The substance of imputations of misconduct or misbehavior in respect of which the inquiry is proposed to be held is set out in the enclosed statement of article of charge (Annexure-I). A statement of imputations of misconduct or misbehavior in support of article of the charge is enclosed (Annexure-II). A list of witnesses and documents by which the article of charge is proposed to be sustained is also enclosed (Annexure-III & IV respectively).

3. Sri B. Mukhalingeswara Rao, the then STO, Divisional ST, Srikakulam and presently STO (Retd.), DT, Srikakulam is directed to submit his written statement of defence within (10) days of the receipt of this order and also to state whether he desires to be heard in person.

4. Sri B. Mukhalingeswara Rao, the then STO, Divisional ST, Srikakulam and presently STO (Retd.), DT, Srikakulam is informed that an inquiry will be held only in respect of those articles of charges, which are not admitted. He should, therefore, specifcally admit or deny each article of charge.

(P.T.O.)

5. Sri B. Mukhalingeswara Rao, the then STO, Divisional ST, Srikakulam and presently STO (Retd.), DT, Srikakulam is further informed that if he does not submit his written statement of defence within the stipulated time, further action will be taken as per provisions of Rule 20 of APCS (CC&A) Rules, 1991 read with Rule 9 of AP Revised Pension Rules, 1980.

6. He is specifically informed that this memo., does not preclude the Government to frame fresh charge/charges, if any further irregularity/irregularities are noticed during the course of disciplinary action.

7. Receipt of this G.O. may be acknowledged.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

SHAMSHER SINGH RAWAT
PRINCIPAL SECRETARY TO GOVERNMENT

To
Sri B. Mukhalingeswara Rao, STO (Retd.) through the Director of Treasuries and Accounts, AP, Ibrahimptnam.
Copy to
The Director of Treasuries and Accounts, A.P., Ibrahimpatnam. He is requested to serve the above G.O. to the retired officer and return the served copy with his dated signature immediately.

//FORWARDED :: BY ORDER//

SECTION OFFICER

ANNEXURE - I

STATEMENT OF ARTICLES OF CHARGES FRAMED AGAINST SRI BEHARA MUKHALINGESWARA RAO,S/O LINGAMURTHY, SUB TREASURY OFFICER, DIVISIONAL SUB TREASURY, SRIKAKULAM, SRIKAKULAM DISTRICT.

Sri Behari Mukhalingeswara Rao, S/o Lingamurthy, Sub Treasury Officer, Divisional Sub Treasury, Srikakulam, Srikakulam District joined in Government Service on 17.08.1984 as Attender at Sub Treasury, Amadalavasa, Srikakulam District and worked as such till 03.12.1988. On 03.12.1988 he was promoted as Shrof and posted to District Treasury, Srikakulam and in the same capacity he worked at Sub Treasury, Kotabommali and Sub Treasury, Palakonda till 03.06.1992. He was promoted as Junior Accountant on 05.06.1992 and posted at District Treasury, Srikakulam. Later he was promoted as Senior Accountant on 24.06.1999 and worked as such in District Treasury, Srikakulam, Sub Treasury, Tekkali, Sub Treasury, Sompeta (on deputation) and Sub Treasury, Tekkali till 03.08.2011. On 04.08.2011, he was promoted as Sub Treasury Officer and posted at Sub Treasury, Srikakulam. While working as such from 04.08.2011, he committed grave misconduct in as much as.

CHARGE:

He failed to supply copies of Life Certificates submitted by Smt. Gajula Lakshmi and further replied through his two letters Rc.39/SA/A/2016, dated 04.02.2017 & 20.02.2017 that he was unable to supply those copies due to poor maintenance of office records.

Thus Sri Behari Mukhalingeswara Rao, S/o Lingamurthy, Sub Treasury Officer, Divisional Sub Treasury, Srikakulam Srikakulam District, by his above mentioned acts, has exhibited slack supervision, lack of integrity, devotion to duty and conduct unbecoming of Government Servant and thereby contravened the Rule 3(1), (2) & (5) of A.P. Civil Service (Conduct) Rules — 1964.

SECTION OFFICER

ANNEXURE - II

STATEMENT OF IMPUTATIONS OF MISCONDUCT, MISBEHAVIOUR, LACK OF SUPERVISION & GROSS DERELIC TION OF DUTY IN SUPPORT OF THE ARTICLES OF CHARGES FRAMED AGAINST SRI BEHARA MUKHALINGESWARA RAO, S/O LINGAMURTHY, SUB TREASURY OFFICER, DIVISIONAL SUB TREASURY, SRIKAKULAM, SRIKAKULAM DISTRICT

Sri Behari Mukhalingeswar Rao, S/o Lingamurthy, Sub Treasury Officer, Divisional Sub Treasury, Srikakulam, Srikakulam District Joined in Government Service on 17.08.1984 as Attender at Sub Treasury, Amadalavalasa, Srikakulam District and worked as such till 03.12.1998. On 03.12.1988 he was promoted as Shrof and posted to District Treasury, Srikakulam and in the same capacity he worked at Sub Treasury, Kotabommali and Sub Treasury, Palakonda till 03.06.1992. He was promoted as Junior Accountant on 05.06.1992 and posted at District Treasury, Srikakulam. Later he was promoted as Senior Accountant on 24.06.1999 and worked as such in District Treasury, Srikakulam, Sub Treasury, Tekkali, Sub Treasury, Sompeta (on deputation) and Sub Treasury, Tekkali till 03.08.2011. On 04.08.2011, he was promoted as Sub Treasury Officer and posted at Sub Treasury, Srikakulam. He born on 24.08.1959 and his date of attaining superannuation is 31.08.2019. He is here-in- after called as Government Servant.

CHARGE:

He failed to supply copies of Life Certificates submitted by the complainant Smt. Gajula Lakshmi and further replied through his two letters Rc.39/SA/A/2016 dated 04.02.2017 & 20.02.2017 that he was unable to supply those copies due to poor maintenance of office records.

FACTS AND EVIDENCE:

Brief facts of the case are that Smt. Gajula Lakshmi is working as Jr. Asst., in the office ASO, Circle-3, Gajuwaka, Visakhapatnam. Her husband Sri Vijay Kumar died in the year 2009 while working as Jr. Technical Officer in Narasannapeta. She got the job as Jr. Assistant in 2010 on compassionate grounds and she has been getting the family pension (PPO No.23-002881/FP and PPO ID:21409) since 2009. She has been submitting her life certificate to the Sub Treasury office, Srikakulam regularly every year in between November and February. As usual she submitted the life certificate for the year 2015-16 also in the month of December, 2015. As such, she met the STO Sri P. Rajesh and when informed about non receipt of pension. Her pension is being credited into her SBI SB account 20032216549 of SBI Main Branch, Maharanipeta, Visakhapatnam, but the same was discontinued since June, 2016 and informed him about non-receipt of pension. Sri P. Rajesh demanded bribe of Rs.10,000/- to do such favour on her request Sri P. Rajesh reduced the bribe amount to Rs.5,000/-. When she lodged a report to the DSP, ACB, Srikakulam Range a crime was registered against STO Sri P. Rajesh and he was trapped in his office on 07.12.2016 when he further demanded and the bribe amount of Rs.5,000/- as bribe from Smt. Lakshmi.

During the course of investigation, the Government Servant through his letter Rc. No. 39/SA/1/2016, dated 04.02.2017 informed that Annual Verification Certificates/ Life Certificates furnished by the pensioners each year are bundled year -wise and kept in the strong room situated in the old building. The old Sub Treasury building situated in Taluk Office premises in under construction, consequently the Sub Treasury Office was shifted to a rented building during 04/2016 to which the Investigating Officer visited on 07.12.2016. Therefore, the AVC/LC bundles for each year have to be verified to pick up the AVC/LC of Smt. G. Lakshmi. Therefore, soon after traced out, the ACC/LC copies will be furnished.

When the Government Servant was requested through letter dated 14.02.2017 to expedite the information, he informed through his letter Rc.No. 39/SA/A/2016 dated 20.12.2017 that on verification of Annual verification/ Life Certificate bundles of previous years, it is observed that all the AV/LC bundles in the racks became wet and damp due to climatic condition. The photos attached to AV/LC fumed to another AV/LC dried and not getting separated. Due to stickiness, the photos became shabby and smudge. The ink written letters on the fillets in forms withered and scattered and became illegible and unreadable for verification. However, one Annual Verification/Life Certificate for the year 2011 which was stitched in the middle of the bundle, is legible could be picked up and he furnished one copy of AV/LC of the complainant Smt. Lakshmi for the year 2011 and informed that the AV/LCs for the other years are illegible to locate and could not furnish as such.

The Govt. Servant gave reply to two letters, been sincere in his duty, he would have furnished the copy of Life Certificate to first letter but throwing the blame on the environment of office.

In this case the dispute was about missing of Life Certificate but she has been submitting the same since 2010, whereas the Government Servant furnished only one, it was the clear case of negligence on the part of officers of O/o Divisional Sub Treasury, Srikakulam but on the other hand they are throwing blame on the pensioners.

Thus, Sri Behari Mukhalingeswara Rao, S/o Lingamurthy, Sub Treasury Officer, Divisional Sub Treasury, Srikakulam, Srikakulam District, by his above mention acts, has exhibited slack supervision, lack of integrity, devotion to duty and conduct unbecoming of Government servant and thereby contravened the Rule 3(1), (2) & (5) of A.P. Civil Service (Conduct) Rules — 1964.

SECTION OFFICER

ANNEXURE - III

LIST OF WITNESSES:

1. Sri D.V. Satyanarayana, Sr. Accountant, Divisional Sub Treasury, Srikakulam.

2. Sri K. Rajendra Rao, Deputy Superintendent of Police, Anti Corruption Bureau, Srikakulam Range.

ANNEXURE - IV

LIST OF DOCUMENT:

1. Rc. No.39/SA/1/20106, dated 04.02.2017 & 20.02.2017 of the Sub Treasury Officer, Divisional Sub Treasury, Srikakulam.

SECTION OFFICER